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NUMBER 5120.39

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Department of Defense Directive

ASD (MRA&L)

SUBJECT: Department of Defense Wage Fixing Authority
Appropriated Fund Compensation

- References:
- (a) DoD Directive 5120.39, "Department of Defense Wage Fixing Authority," June 5, 1968 (hereby canceled)
 - (b) Title 5, United States Code, Chapter 53, Subchapter IV and Section 5102(c), (11), (12), (19), and (20)
 - (c) DoD Directive 5100.23, "Administrative Arrangements for the National Security Agency," May 17, 1967
 - (d) through (g), see enclosure 1

A. REISSUANCE AND PURPOSE

This Directive:

1. Reissues reference (a) to update and restate established uniform policies, practices, and schedules for DoD civilian employees paid from appropriated funds pursuant to the authority contained in reference (b), which designated the Secretary of Defense as the wage fixing authority within the Department of Defense;
2. Defines the authority and assigns responsibility for wage fixing within the DoD;
3. Establishes the DoD Wage Committee and DoD Wage Fixing Authority Staff and delineates their authorities, responsibilities, and relationships with DoD Components and the Office of Personnel Management.

B. APPLICABILITY AND SCOPE

1. The provisions of this Directive apply to the Office of the Secretary of Defense, the Military Departments, and the Defense Agencies (hereafter referred to as "DoD Components").
2. Its provisions cover DoD employees paid from appropriated funds for whom the Secretary of Defense has wage fixing authority, except those of the National Security Agency who are covered under the provisions of DoD Directive 5100.23 (reference (c)).

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C. ORGANIZATION

1. The Department of Defense Wage Fixing Authority shall be comprised of the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) (ASD(MRA&L)), or designee, the Deputy Assistant Secretary of Defense (Civilian Personnel Policy) (DASD(CPP)); the DoD Wage Committee; and the DoD Wage Fixing Authority Staff.

a. The DoD Wage Committee is hereby established and will meet at the call of the Chair to consider matters in the order prescribed by the Chair. The Committee shall consist of:

(1) A Chair - the DASD(CPP) or a designated alternate.

(2) Two members designated by the Military Departments or Defense Agencies having the largest number of wage employees covered by the wage schedules under consideration as determined by the Chair.

(3) Two members designated by the head of each of the two labor organizations having the largest number of wage employees covered by exclusive recognition within the Department of Defense.

b. A majority vote of the DoD Wage Committee will constitute the recommendation of the Committee, but a member of the minority may file a report with the Committee's recommendation.

2. A DoD Wage Fixing Authority Staff is hereby authorized. The Director will be selected by and report to the DASD(CPP). The Staff shall consist of wage specialists, wage analysts, data collection agents, and clerical assistants.

D. RESPONSIBILITIES

1. The Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) shall:

a. Act for the Secretary of Defense in accordance with DoD Directive 5124.1 (reference (d)) and approve salaries, wages, fringe benefits, and pay policies for DoD employees paid under 5 U.S.C. 53 (reference (b)).

b. Make such redelegations of the authority set forth in paragraph 1.a., above, as considered appropriate.

2. The DoD Wage Committee shall:

a. For wage areas qualifying under the FPM (reference (e)) for Local Wage Survey Committees, consider and make recommendations to the ASD(MRA&L) on specifications for full scale wage surveys.

b. Upon completion of a local wage survey, for areas qualifying under the FPM (reference (e)), consider the survey data, the Local Wage Survey Committee's report and recommendations, the statistical analyses and proposed pay schedules, as well as any other data or recommendations pertinent to the survey, and recommend wage schedules to the ASD(MRA&L).

3. The DoD Wage Fixing Authority Staff, shall, under the criteria established in the FPM (reference (e)), execute authorized wage policies, carry out the responsibilities set forth in paragraphs a. through d., below; conduct special research projects; and perform such other functions as may be directed by the DASD(CPP).

a. Wage Surveys

(1) Develop annual schedules of wage surveys in coordination with the Office of Personnel Management and other Agencies.

(2) Announce, authorize, and order locality wage surveys.

(3) Develop specifications and plans for each locality wage survey, including designation of the host activity.

(4) Provide chairs, project officers, data collection agents, or other representatives to Local Wage Survey Committees or Locality Wage Boards. (A Locality Wage Board is a local board which does not qualify as a Local Wage Survey Committee under the FPM (reference (e)).)

(5) Provide direction, guidance, or assistance to Local Wage Survey Committees and Locality Wage Boards.

(6) Make presentations of survey specifications to the DoD Wage Committee.

b. Data Review and Analysis

(1) Review and analyze material and wage survey data forwarded by the Local Wage Survey Committee or Local Wage Survey Board in accordance with the provisions of Subchapter S5-10 of the FPM (reference (e));

(2) Assure accuracy of job "match" and "no match" determinations by Local Wage Survey Committees or Boards and take corrective action;

(3) Question and verify job matches when wage rate data show marked deviations from data for other jobs in the same establishment or from other establishments in the survey.

c. Wage Schedules

(1) Make presentations to the DoD Wage Committee and the DASD(CPP) on survey findings.

(2) Prepare for staffing within DoD and approval by the ASD(MRA&L), DoD instructions providing for the application of wage administration policies, rules, regulations, procedures and schedules.

(3) Provide Local Wage Survey Committees and Locality Wage Boards information on actions taken on wage survey data submitted by such Committees or Boards.

(4) Receive, originate, analyze, evaluate, and staff within DoD, and present to the proper authorities, proposals for new or revised procedures relating to survey timing, survey techniques and procedures, survey jobs, wage area definitions, analysis, and treatment of wage data, determination of schedules, and other matters not requiring policy changes.

d. Reports

(1) Perform research projects and prepare special reports as directed. These reports are exempt from formal approval and licensing in accordance with VII.C. of enclosure 3 to DoD Directive 5000.19 (reference (f)). Existing DoD data elements and codes as contained in DoD Manual 5000.12-M (reference (g)) will be used for all information collecting and processing.

(2) Prepare and distribute reports of DoD wage surveys, wage schedule authorizations, and other wage administrative activities.

E. RELATIONSHIPS

1. Matters bearing on policy issues will be coordinated with DoD Components through normal staff procedures.

2. The Chair of the DoD Wage Committee and the Director, DoD Wage Fixing Authority Staff, may communicate directly with DoD Components or their subdivisions, the Office of Personnel Management, and other Federal Agencies, concerning any matter where a mutual interest or responsibility exists.

F. ADMINISTRATIVE SUPPORT

1. The Secretary of the Army shall provide, on a common service basis, administrative support to the DoD Wage Fixing Authority Staff which includes budgeting, funding, fiscal control, manpower control and utilization, personnel administration, security administration, space, facilities, supplies, and other administrative provisions and services.

2. Increases or decreases in resources for the DoD Wage Fixing Authority Staff will be made only with the concurrence of the ASD(MRA&L).

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G. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing instructions to the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) within 120 days.

W Graham Cutler

W. Graham Claytor, Jr.
Deputy Secretary of Defense

Enclosure - 1
References, continued

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REFERENCES, continued

- (d) DoD Directive 5124.1 "Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics)," April 20, 1977
- (e) Federal Personnel Manual, Chapter 532, and Supplement 532-1, "Federal Wage System"
- (f) DoD Directive 5000.19, "Policies for the Management and Control of Information Requirements," March 12, 1976
- (g) DoD Manual 5000.12-M, "DoD Standard Data Elements," March 1, 1970, authorized by DoD Instruction 5000.12, April 27, 1965